REMARKS

Claims 1 through 11 and 15 have been previously canceled. Claim 21 has been amended. New claim 33 has been added. Claims 12 through 14 and 16 through 33 remain in the application. A marked up copy of the amended claim is attached hereto as Appendix A.

Claims 12 through 14 and 16 through 20 have been allowed.

Claims 21 through 32 were rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 through 20 of U.S. Patent No. 6,073,960. Applicants respectfully traverse this rejection.

Although Applicants disagree with the rejection, to further prosecution of the application, Applicants are filing a Terminal Disclaimer separately to overcome the rejection. It is respectfully submitted that the Terminal Disclaimer overcomes the rejection.

Claim 21 through 25 and 30 through 32 were rejected under 35 U.S.C. § 102(b) as being anticipated by Suyama et al. (U.S. Patent No. 5,575,497). Applicants respectfully traverse this rejection.

U.S. Patent No. 5,575,497 to Suyama et al. discloses a method for developing an air bag for a vehicle. An airbag device A_D for a driver's seat S_D and an airbag device A_N for passenger's seat S_N are disposed in a vehicle laterally symmetrically with each other with respect to a center line of a vehicle body and have substantially the same structure. Each of the air bag devices A_D and A_N includes an inflator I mounted in an outer portion of a seat back S_1 of each of the driver's seat S_D and the passenger seat S_N for injecting a high pressure gas, a first air bag B_S which is inflated and developed along an inner surface of a side door D by the high pressure gas from the inflator I, and a second air bag B_F which is integrally coupled to the first air bag B_S and inflated and developed along a rear surface of an instrument panel P. The first and second air

bags B_S and B_F are formed separately and united integrally by stitching, and are mounted in their compact folded states in the outer portions of the seat backs S_I along with the inflators. As can be seen by reference also to FIG. 2, two pressure valves V, V are mounted at a joint between the first and second air bags B_S and B_F united integrally by a stitching 1. Each of the pressure valves V is a circular opening 2 defined in the first and second air bags B_s and B_F superposed on each other, and a membrane 4 placed to cover the opening 2 and fixed by a stitching 3. When the membrane 4 is in a state shown by a dashed line in FIG. 2, it air-tightly partitions an internal space in the first air bag B_s and an internal space in the second air bag B_F from each other. When the internal pressure in the first air bag B_S is increased to exceed a predetermined value, the membrane 4 is broken into a state shown by a solid line in FIG. 2 to put the internal space in the first air bag B_S into communication with the internal space in the second air bag B_F. In FIGS. 4A to 4G, air bag devices A_D and A_N are mounted in center pillars and each of the inflators I, I_S and I_F is mounted in the center pillar in place of mounting in the seat back S_I. Suyama et al. '497 does not disclose a frontal air bag for mounting solely to a front pillar of a vehicle to deploy downward and sideways in front of an occupant seated in the vehicle when inflated.

In contradistinction, claim 21, as amended, clarifies the invention claimed as a frontal air bag system for a vehicle including a frontal air bag adapted for mounting solely to a front pillar of the vehicle. The frontal air bag is adapted to be inflated and extend downward and sideways in front of an occupant seated in the vehicle.

A rejection grounded on anticipation under 35 U.S.C. § 102 is proper only where the subject matter claimed is identically disclosed or described in a reference. In other words, anticipation requires the presence of a single prior art reference which discloses each and every element of the claimed invention arranged as in the claim. In re Arkley, 455 F.2d 586, 172

U.S.P.Q. 524 (C.C.P.A. 1972); Kalman v. Kimberly-Clark Corp., 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983); Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick Co., 730 F.2d 1452, 221 U.S.P.Q. 481 (Fed. Cir. 1984).

Suyama et al. '497 does not disclose or anticipate the claimed invention of claim 21. Specifically, Suyama et al. '497 merely discloses a method for developing an air bag for a vehicle in which an air bag is stored in a seat back having a first air bag inflated upwardly along a side door and a second air bag coupled to the first air bag inflated upwardly along a rear surface of an instrument panel. In Suyama et al. '497, the second air bag B_F is an extension of the first air bag B_S, which is a side air bag. Although Suyama et al. '497 discloses that air bag devices A_D and A_N are mounted in a center pillar, it only expressly discloses that each of the inflators I, I_S and I_F is mounted in the center pillar in place of mounting in the seat back S_I and does not disclose that the first and second air bags B_S and B_F are mounted in a front pillar. Contrary to the Examiner's position, Suyama et al. '497 does not disclose inflating and extending an air bag downward and sideways in front of an occupant seated in the vehicle. In Suyama et al. '497, the first air bag is developed into a space between the occupant and a side door and the second air bag is developed into a space between the occupant and an instrument panel. Suyama et al. '497 does not suggest how to deploy a frontal air bag from the A-pillar downward and sideways in front of an occupant seated in the vehicle when inflated. The reference fails to disclose the combination of a frontal air bag system including a frontal air bag adapted for mounting solely to a front pillar of a vehicle to deploy downward and sideways in front of an occupant seated in the vehicle when inflated as claimed by Applicants. The present invention is not a rearrangement by routine skill in the art of the prior art. Therefore, it is respectfully submitted that claim 21 and the claims dependent therefrom are allowable over the rejection under 35 U.S.C. § 102(b).

Claims 26 and 27 were rejected under 35 U.S.C. § 103 as being unpatentable over Suyama et al. '497 in view of Rion (U.S. Patent No. 5,308,108). Applicants respectfully traverse this rejection for the same reasons given above to claim 21.

Claims 28 and 29 were rejected under 35 U.S.C. § 103 as being unpatentable over Suyama et al. '497 in view of Yamada (U.S. Patent No. 5,884,937). Applicants respectfully traverse this rejection for the same reasons given above to claim 21.

New claim 33 has been added to more particularly claim the present invention. New claim 33 claims a single frontal air bag adapted for mounting solely to a pillar of the vehicle. Suyama et al. '497 discloses first and second air bags B_S and B_F and not a single frontal air bag as claimed by Applicants. Therefore, it is respectfully submitted that new claim 33 is allowable over the art of record.

Based on the above, it is respectfully submitted that the claims are in a condition for allowance, which allowance is solicited.

Respectfully submitted,

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Date: July 24, 2002

Disclosure No.: DP-300298

APPENDIX A

VERSION OF THE CLAIM WITH MARKINGS TO SHOW THE CHANGES

Please amend claim 21 as follows:

21. (AMENDED) A frontal air bag system for a vehicle comprising:

a frontal air bag adapted for mounting solely to a front pillar of the vehicle; and

wherein said frontal air bag is adapted to be inflated and extend downward and sideways in front of an occupant seated in the vehicle.